

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

DREAM CATCHER HOTELS, LLC

PLAINTIFF

V.

NO. 1:22-CV-54-DMB-RP

**JOHNSTON-TOMBIGBEE FURNITURE
MANUFACTURING COMPANY**

DEFENDANT

ORDER

On June 30, 2022, Johnston-Tombigbee Furniture Manufacturing Company (“JTB”) filed a third-party complaint against Royal Trucking, Inc. Doc. #14. Approximately two weeks later, Royal moved to dismiss the third-party complaint. Doc. #19. On July 21, 2022, JTB filed a “Combined Motion for Leave to File Thirdparty Complaint and Response to Motion to Dismiss.” Doc. #30. The Clerk’s Office instructed JTB to re-file the motion for leave as a separate docket entry from its response to the motion to dismiss.

On July 28, 2022, Royal filed a motion for additional time to respond to JTB’s motion for leave and to reply in support of its motion to dismiss. Doc. #31. The next day, JTB filed a notice pursuant to Federal Rule of Civil Procedure 41 dismissing its third-party complaint against Royal “without prejudice, reserving all rights to re-file such, some, or all of its claims as cross-claims.” Doc. #32. Accordingly, Royal’s motion to dismiss [19] and motion for extension [31] are **DENIED as moot.**

SO ORDERED, this 1st day of August, 2022.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE